

Federal Communications Commission  
Office of the Secretary

To: Preferred Acquisitions, Inc.

~~CONFIDENTIAL~~

### **Definitions and Instructions**

a. "PAI" means Preferred Acquisitions, Inc., any affiliate, d/b/a, predecessor-in-interest, parent company, wholly or partially owned subsidiary, successor-in-interest or other affiliated company or business, and all directors, officers, employees, shareholders or agents, including consultants and any other persons working for or on behalf of any of the foregoing during the period January 1, 1998 through the present.

b. "Commission" means Federal Communications Commission.

c. "Document" means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, personnel file, personnel folder, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of PAI.

d. “Relate to” and “relating to” mean constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, concerns or in any way is pertinent to the specified subject, including documents concerning the preparation of the documents.

e. “All” shall be construed to include the word “any.”

f. Each Document produced shall be identified by the number of the Document request to which it is responsive, and each Document shall be produced in its entirety, even if only a portion of that Document is responsive to a request herein. This means that the Document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other Documents referred to in the Document or attachments. All written materials necessary to understand any Document responsive to these inquiries must also be produced.

g. If a Document responsive to any request herein existed but is no longer or not currently available, or if PAI is unable for any reason to produce a Document responsive to any request, each such Document shall be identified by author, recipient, date, title, and specific subject matter, and a full explanation shall be provided why the Document is no longer available or why PAI is otherwise unable to produce it.

h. If any Document produced in response to any request herein is not dated, the date on which the Document was prepared shall be provided. If any Document does not identify its author(s) or recipient(s), the name(s) of the author(s) or recipient(s) of the Document shall be provided.

i. This request is continuing in nature, requiring immediate production if a further or different Document responsive to any request herein comes into the possession, custody, or control of PAI during the pendency of this proceeding.

j. If production of any Document responsive to any request herein called for by this request is refused pursuant to a claim of privilege, the Document shall be identified by reference to its author, recipient(s) (including any person receiving a copy, regardless of whether that recipient is listed on the Document), date, and subject matter. The basis for the privilege claimed for such Document shall be specified with sufficient precision to permit assessment of the applicability of the privilege involved.

### **Documents Requested**

1. All formation and organizational Documents relating to PAI, including, but not limited to, articles of incorporation, by laws, minutes of corporate meetings, appointment or dismissal of directors, issuance or reclassification of stock, employee compensation, sale of major assets, dissolution, agreements, voting rights, proxies, and any and all amendments thereto.
2. All Documents relating to the participation, of any kind and to any extent whatsoever, of Pendleton C. Waugh in the formation and/or operation, day-to-day and otherwise, of PAI.
3. All Documents that Pendleton C. Waugh signed or executed on behalf of PAI.
4. All Documents relating to voting interests or future voting interests in PAI.
5. All Documents relating to the issuance or future issuance of shares of stock in PAI.
6. All Documents relating to trusts for the issuance or future issuance of shares of stock in PAI.

7. All Documents relating to the issuance or future issuance of financial interests of any kind (other than shares of stock) in PAI.
8. All books of accounting, including payroll records, for PAI.
9. All Documents relating to investors and investments in PAI.
10. All Documents, including but not limited to, agreements, contracts, arrangements or understandings, relating to work performed or work to be performed by Pendleton C. Waugh, of any kind and to any extent whatsoever, on behalf of PAI.
11. All Documents relating to compensation or consideration, of any kind and to any extent whatsoever, made, paid or promised to, Pendleton C. Waugh for work or services of any kind and to any extent whatsoever performed by him on behalf of PSI.
12. All Federal income tax returns filed by PAI, from January 1, 1998, to the present.
13. All Documents relating to the establishment of annual budgets, business plans, operating expenses, debt financing, and financing generally for PAI for the years 1998 to the present.
14. All Documents related to financial accounts with any banks, financial or other institutions, groups, entities or individuals relating to the receipt, distribution, or allocation of PAI's funds.
15. All Documents relating to hiring, firing, or supervision of the employees, officers, independent contractor, or consultants of PAI.
16. All Documents relating to the planning, preparation, review and filing of the application on FCC Form 175 Application to Participate in an FCC Auction, filed by

PAI on July 17, 2000, with the Commission in connection with Auction 34 (File No. 0341843435), and all amendments thereto.

17. All Documents relating to the planning, preparation, review and filing of the application on FCC Form 602, FCC Ownership Disclosure Information for the Wireless Telecommunications Services, Schedule for Disclosable Interest Holders, filed by PAI on September 20, 2000, with the Commission in connection with Auction 34 (File No. 0002080932), and all amendments thereto.

18. All Documents relating to the planning, preparation, review and filing of the application on FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, filed by PAI on September 27, 2000, with the Commission in connection with Auction 34 (File No. 0000222425), and all amendments thereto.

19. All Documents relating to the planning, preparation, review and filing of the application on FCC Form 601, FCC Application for Wireless Telecommunications Bureau Radio Service Authorization, filed by PAI on December 14, 2005, with the Commission (File No. 0002408877, *et al.*), and all amendments thereto.

20. All applications filed by or on behalf of PAI with the Commission, but not already referenced in the above Document Requests, and all Documents relating to the planning, preparation, review and filing of such applications.

21. All Documents relating to customers of PAI and/or customers of services provided by PAI.

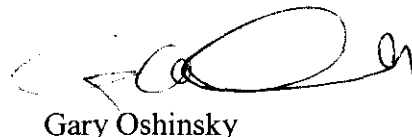
22. All Documents, including but not limited to leases, contracts, arrangements, commitments and/or understandings, relating to antenna towers for stations of which PAI is or was the licensee.

23. All Documents relating to the purchase, sale and/or lease of equipment of any kind whatsoever for stations of which PAI is or was the licensee.

24. All Documents supporting PAI's answers to the Enforcement Bureau's First Set of Interrogatories to Preferred Acquisitions, Inc.

25. All Documents on which PAI intends to rely to support any legal or factual premise or defense at any hearing in this proceeding.

Respectfully submitted,  
Kris Anne Monteith  
Chief, Enforcement Bureau



Gary Oshinsky  
Attorney, Investigations and Hearings Division



Anjali Singh  
Attorney, Investigations and Hearings Division

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October 15, 2007

## **CERTIFICATE OF SERVICE**

Kerri Johnson a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 15<sup>th</sup> day of October, 2007, sent by first class United States mail or electronic mail, as noted, copies of the foregoing "Enforcement Bureau's First Request for Production of Documents to Preferred Acquisitions, Inc." to:

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c/o Michelle Bishop  
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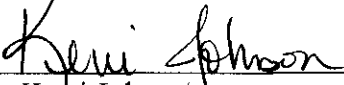
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Administrative Law Judge Arthur I. Steinberg\*  
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Kerri Johnson

\* Hand-Delivered and Courtesy Copies Sent Via E-Mail

\*\* Courtesy Copies Sent Via E-Mail (E-Mail service acceptable in lieu of hard copies  
for files 4 MB or less per agreement with counsel.)